



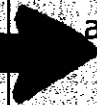
City of Tukwila Community Affairs & Parks Committee

- ◆ Verna Griffin, Chair
- ◆ Joe Duffie
- ◆ Kathy Hougardy

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E. Boykan	N. Olivas	R. Fox
B. Fletcher	J. Pace	M. Dhaliwal
M. Hart		

AGENDA

MONDAY, SEPTEMBER 14, 2009, 5:00 PM
Conference Room #3

ITEM	RECOMMENDED ACTION	Page
1. PRESENTATION(S)		
2. BUSINESS AGENDA		
 a. Comprehensive Plan Amendments; <i>Rebecca Fox, Senior Planner.</i>	a. Forward to 10/12 C.O.W. and 10/19 Regular.	Pg.1
b. Housekeeping Code Amendments; <i>Minnie Dhaliwal, Planning Supervisor.</i>	b. Forward to 9/28 C.O.W. and 10/5 Regular.	Pg.35
3. ANNOUNCEMENTS		
4. MISCELLANEOUS		

Next Scheduled Meeting: *Monday, September 28, 2009*

Committee Goals:

- * Seek out opportunities for Councilmembers to further their knowledge, experience and awareness of the different cultures represented within the Tukwila community.
- * Support programs and services that provide a sense of stability, community and unity throughout Tukwila's residential neighborhoods.
- * Provide legislative support and encouragement to Tukwila residents living in rental communities through programs that hold owners and/or property managers accountable for providing safe places to live through the implementation of a rental licensing program.
- * Formulate an Adopt-a-Neighborhood program that will provide Councilmembers the opportunity to become more familiar with the changing faces of communities and neighborhoods throughout the City.
- * Ensure a commitment to continued human services funding in relation to the cost of living through consistent review of regional, state and federal budgets affecting human services programs and services (*also assigned to F&S*).
- * Research the viability of sponsoring a City-wide Citizens' Academy (*also assigned to F&S*).



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City of Tukwila

Department of Community Development

Jim Haggerton, Mayor

Jack Pace, Director

INFORMATIONAL MEMORANDUM

To: Mayor Haggerton
Community Affairs and Parks Committee

From: Jack Pace, Department of Community Development *JP*

Subj: Annual Comprehensive Plan Amendments

Date: September 8, 2009

ISSUE

The Washington Growth Management Act allows a jurisdiction's Comprehensive Plan to be amended once each year, except in case of emergency. This memo will provide information on the Planning Commission's recommendations for two Comprehensive Plan amendments under review this year and their accompanying Zoning Code amendments. It requests that the amendments are forwarded to the City Council for a briefing, public hearing and action.

BACKGROUND

The City Council held a public meeting in May, 2009, and forwarded the Comprehensive Plan amendments to the Planning Commission for review and recommendation. After holding hearings on July 23 and August 27, 2009, the Planning Commission made recommendations, and is forwarding the issues to the City Council for a public hearing and final action. (Attachments A & B)

After taking comments from the public at a hearing, the Council may:

- Adopt a proposed amendment by ordinance;
- Adopt a modified version of a proposed amendment by ordinance; or
- Reject the amendment.

Consideration of a site-specific amendment is a quasi-judicial decision. Consideration of a policy amendment and area-wide zoning code changes is a legislative decision.

DISCUSSION

Osterly Park Townhomes--Redesignate property from Medium Density Residential (MDR) to High Density Residential (HDR)

- File #L08-077--Comprehensive Plan Amendment
- File #L09-002-- Rezone

The applicant, Mike Overbeck, is requesting to redesignate one parcel from Medium Density Residential (MDR) to High Density Residential (HDR) at 3421 S. 144th. (Attachment C) The .25 acre property had been the subject of a long-term code enforcement action, and is the site of a former meth house that was demolished earlier in 2009.

The proposed Comprehensive Plan amendment/Rezone area is part of a multi-parcel proposal for a townhome project which will be developed in phases, and is now under staff review. The rezone would allow the property to be developed with two additional units, a more efficient site plan, and better access.

The new HDR designation is appropriate for the property under any development scenario, as the block is almost entirely zoned HDR already, and is developed in large apartment buildings. The site is on a bus route, with Cascade View Community Park is within one block. Amenities including shopping, schools, library and swimming pool are nearby.

Planning Commission Recommendation (L08-077):

- Adopt findings and conclusions to amend the Comprehensive Plan Land Use Map from Medium Density Residential (MDR) to High Density Residential (HDR) at S. 3421 S. 144th (Tax#00040000088)

Planning Commission Recommendation (L09-002):

- Adopt findings and conclusions, and amend the Zoning Map from Medium Density Residential (MDR) to High Density Residential (HDR) at S. 3421 S. 144th (Tax#00040000088)

Urban Renewal Overlay District

- *File #L08-081—Comprehensive Plan Amendment*
- *File# L08-082—Zoning Code Amendment*



The City of Tukwila's Economic Development Administrator Derek Speck has proposed a new Comprehensive Plan policy, and supplemental development standards in the Zoning Code and map to create and implement an Urban Renewal Overlay District for commercial, commercial redevelopment and multifamily zoned properties within the Urban Renewal Area in the vicinity of Tukwila International Boulevard.

The Urban Renewal Area was originally designated in the Tukwila International Boulevard Plan—Revitalization and Urban Renewal (January, 2000). The proposed Urban Renewal Overlay District is an area that has been the focus of long-time planning efforts and public improvements. It generally lies between S. 140th Street, 37th Avenue South, S. 146th Street and 42nd Avenue S., and includes the future Tukwila Village site. (Attachment D) The intent of the Urban Renewal Overlay District is to encourage a compact, transit-oriented development pattern with neighborhood-oriented services, redevelopment of distressed property, and more lively and pedestrian-friendly site design.

Supplemental development regulations and criteria are intended to address deficiencies in existing zoning, stimulate redevelopment and provide desired amenities. While market and site conditions will continue to be major factors in determining the pace and extent of redevelopment in the neighborhood, this proposal is intended to help the community achieve its vision for a mixed-use center and strengthened commercial district.

The proposed Urban Renewal Overlay District leaves the underlying zoning in place, but provides alternative development standards that may be applied to developments within the District upon the property owner's request, and if certain qualifying criteria are met. Criteria include such conditions

as requiring that at least 100' feet of the site's perimeter front on Tukwila International Boulevard, providing pedestrian amenities, and significant covered parking for residential units.

Certain concepts for the zoning changes, such as greater maximum building height and reduced parking requirements, were proposed by developers interested in the future Tukwila Village center project. However, supplemental development regulations and requirements are intended to encourage the type of development that is desired for the entire area, and would apply equally to any future development and redevelopment in the Urban Renewal Overlay District, provided they are requested by the developer and the criteria are met.

The proposed Urban Renewal Overlay District zoning regulations tend to focus development along Tukwila International Boulevard by requiring at least 100' of frontage along the street. Street interest and liveliness are encouraged by requiring that the ground floor along TIB include active uses, which can be a combination of activities and architectural features intended to enhance the streetscape. Development must provide pedestrian features such as wide sidewalks, street furniture, etc. Significant covered parking for residences is also required, as are secure bicycle and car-share parking. These features will make it easier for people to walk, use bicycles, or car share.

The Planning Commission's recommendations take into account several topics of special interest.

Building setbacks near single-family homes:

The Planning Commission expressed concern over the potential visual impact of a row of tall buildings in the vicinity of single-family homes. The Planning Commission recommendation addresses this concern by requiring a one or two story building tier on development located adjacent to or across the street from single-family dwellings that are outside of the Urban Renewal Overlay. Tiers would start at 10' from the property line, with the remainder of the building height set back 30'. (Attachment E) This would apply whether the building's front, second front or side faced the single-family dwelling.

Requiring only one tier that is one or two stories in height maintains the same scale as nearby housing. Some design flexibility, and systems economies are retained for the building, while loss of developable space is limited. Limiting the tier's setback to ten feet from the property line provides interest along the street, and begins to establish a somewhat more urban feel, as is desired by the community. Setting the tallest part of the building back from the street provides additional visual break for nearby single-family residences, in addition to the separation that is already achieved with the width the right-of-way, and existing single-family home setbacks.

Residential Units—Size and Type

The Planning Commission had extended discussion over balancing the importance to a healthy neighborhood of having a mix of residential unit types and sizes with no single dwelling unit type predominating, and a future developer's economic need to allow market conditions to determine the specific mix of unit types and sizes that are constructed. It was recognized that market forces generally determine the mix of residential units in a development, and that unit mix is not regulated elsewhere in City codes.

The Planning Commissioners were especially interested that studio units not predominate in any development, that they should be of high quality construction and of adequate size to attract good tenants and not preclude the option of eventual conversion to ownership. The Planning Commission recommendation addresses this concern by limiting the number of studio units, and by setting both a minimum size for individual units and minimum average size for all units in a development. The

recommendation requires that no more than 40% of the residential units could be studio units, and the average size unit is at least 500 s.f. or greater, with no individual unit smaller than 450 s.f.

Planning Commission Recommendation (Comprehensive Plan Amendment—L08-081):

1. Amend the Comprehensive Plan to add proposed Policy 8.2.22, establishing an Urban Renewal Overlay District as follows:

Policy 8.2.22 *Establish an overlay district in the designated urban renewal area, generally between S. 140th, 42nd Avenue South, S. 146th Street and 37th Avenue South, that may allow increased building heights, reduced residential parking requirements, and other alternative development standards, subject to specific criteria, in order to encourage well-designed, compact, transit-oriented and pedestrian-friendly redevelopment to activate the community along Tukwila International Boulevard.*

2. Amend the Comprehensive Land Use Map to show the Urban Renewal Overlay District.(Attachment F)

Planning Commission Recommendation (Zoning Code Amendments—L08-081):

- 1) Amend the Zoning map to add the "Urban Renewal Overlay District" (Attachment F)
- 2) Amend the Zoning Code to add Figure 18-15 "Urban Renewal Overlay District" (Attachment G)
- 3) Amend the Zoning Code Chapter 18.50—Supplemental Standards to add TMC 18.50.170 establishing the Urban Renewal Overlay District with supplemental development regulations and criteria as follows:

**Urban Renewal Overlay District
Chapter 18.50.170**

18.50. 170. Urban Renewal Overlay District

A. Purpose. The Urban Renewal Overlay District is established to implement the adopted Tukwila International Boulevard Revitalization and Urban Renewal Plan. The intent is to promote community redevelopment, and revitalization and to encourage investment that supports well-designed, compact, transit-oriented and pedestrian-friendly residential and business activity to activate the community along Tukwila International Boulevard.

B. Application of Regulations. Property located within the Urban Renewal Overlay District is identified on the official land use maps, including the Comprehensive Plan Map and the Zoning Map, as well as in TMC 18, Figure 18.15, and is subject both to its zone classification regulations and to additional requirements imposed for the overlay district. In any case where the provisions of the overlay district conflict with the provisions of the underlying zone, the overlay district provisions shall apply.

C. Standards and Criteria

- 1) The Urban Renewal Overlay District's proposed supplemental development standards are as follows:

a) Allow building heights up to 65 feet in the Urban Renewal Overlay District. The existing Neighborhood Commercial Center (NCC) setback standards shall be followed per TMC 18.22.080, with the exception that: 1) development adjacent to or across the street from single-family dwellings in Low Density Residential zones lying outside of the Urban Renewal District shall be set back 10' from the property line with a required building tier of either one or two stories in height; and 2) floors three and above shall be set back 30' from the property line. This shall apply whether the front, second front, side or rear yard faces or is adjacent to the single-family dwelling.

b) Allow multi-family parking standards to be one parking space per each dwelling unit that contains up to one bedroom plus 0.5 spaces for every bedroom in excess of one bedroom in a dwelling unit.

c) Allow the maximum number of dwelling units to be determined by the building envelope as in the NCC zone, rather than a numeric density. Allow the developer to determine the unit mix with the limitation that studio units contain an average size of at least 500 square feet of interior floor space with no units smaller than 450 square feet and allow not more than 40% of the dwelling units to be studios.

d) Allow live/work space on the ground floor to meet the NCC requirement for ground floor retail or office space if the live/work space is built to commercial building code standards with a typical retail store front appearance.

e) Allow ground floor residential uses in the NCC zone in buildings or portions of buildings that do not front on an arterial.

2) The Urban Renewal Overlay District's proposed development standards would apply if the owner/developer requests, and if all the following criteria are met:

a) At least 100 feet of the development parcel's perimeter fronts on Tukwila International Boulevard.

b) At least 75% of required residential parking is provided in an enclosed structure (garage or podium). The structure must be screened from view from public rights of way.

c) The ground floor along Tukwila International Boulevard must contain active uses except for the width of the garage access (when site conditions allow). Active uses comprise uses such as retail, restaurant, office, live-work or other uses of a similar nature that encourage pedestrian activity, and feature a combination of design and amenities to create a sense in interest with features such as doors, windows, clear glass display windows, wide sidewalks, etc.

d) The property owner/manager shall prepare a Transportation Management Plan that encourages alternatives to automobile use, and that provides each residential and commercial tenant with materials that may range from offering information about transit and bicycle options to providing transit tickets and passes.

e) Residential development shall provide opportunities for tenants to use a car sharing program and make one space available at no charge to a car sharing program (if available) for every 50 to 200 residential spaces on site. An additional space shall be provided for developments with over 200 parking spaces. All car share spaces are in addition to required residential parking. If car sharing programs are not available when the building is constructed, an equivalent number of guest parking spaces shall be provided. These shall be converted to dedicated car-sharing spaces when the program becomes available.

f) Development must provide amenities such as some of the following to enable a high quality pedestrian experience, including retail windows, pedestrian scale design along sidewalks, wide sidewalks, pedestrian access through site, benches, art, landscaping and lighting, quality of materials, street furniture, etc.

g) One secure, covered, ground-level bicycle parking space shall be provided for every four residential units in a mixed-use or multi-family development.

RECOMMENDATION

The Council is being asked to approve the Comprehensive Plan and Zoning Map and Code amendments, and hold a public meeting on this item at the October 12, 2009 Committee of the Whole meeting, and to discuss it and take action at the October 19, 2009 Regular Meeting.

Attachments:

- A. Planning Commission Minutes (7/23/09)
- B. Draft Planning Commission Minutes (8/27/09)
- C. Osterly Park—MDR to HDR Map
- D. Urban Renewal Overlay Map
- E. Setback Graphic
- F. Comprehensive Plan Map/Zoning Map
- G. Figure 18.15

**PLANNING COMMISSION
PUBLIC HEARING MINUTES
JULY 23, 2009**

The meeting was called to order by Chair Malina at 7:00 PM

Present: Chair, George Malina; Vice-Chair, Bill Arthur; Commissioners, Chuck Parrish, Allan Ekberg, Margaret Bratcher and Lynn Peterson

Absent: Commissioner Brooke Alford

**Representing
City Staff:** Rebecca Fox, Minnie Dhaliwal and Wynetta Bivens

COMMISSIONER EKBERG MADE A MOTION TO ADOPT THE PUBLIC HEARING MINUTES FROM JUNE 25, 2009. COMMISSIONER BRATCHER SECONDED THE MOTION; THE MOTION WAS UNANIMOUSLY APPROVED.

Chair Malina swore in those wishing to testify.

Rebecca Fox, Planner, Department of Community Development, gave an overview of the process for amending the Comprehensive Plan and Zoning Codes. The Washington Growth Management Act (WGMA) allows jurisdictions to amend the Comprehensive Plan once a year unless there is an emergency. This year two applications were received, and in May the City Council reviewed the applications, received comments from the public and forwarded them to the Planning Commission (PC) for their recommendation. After the PC forwards their recommendation back to the City Council, a public hearing will be held and the City Council will make a final decision.

The criteria for considering changes to the Comprehensive Plan:

- 1) Is the issue already adequately addressed in the Comprehensive Plan?
- 2) Is the proposed change needed?
- 3) Is this the best means to meet the public's need?
- 4) Is there a net benefit to the community through this change?

The criteria for considering changes to the Zoning Code:

- 1) Is the request consistent with the Comprehensive Plan?
- 2) Is it consistent with the zoning classification?
- 3) Are there changed conditions that would justify the amendment?
- 4) Is the community's interest served by the change?

Staff asked the Commissioners the appearance of fairness questions and there was not any conflict of interest to prevent the PC from making a fair decision.

PLANNING COMMISSION PUBLIC HEARING

CASE NUMBERS: L08-077 (Comprehensive Plan Amendment)
L09-002 (Rezone)
APPLICANT: Mike Overbeck
REQUEST: Comprehensive Plan Amendment and Rezone - Medium Density Residential (MDR) to High Density Residential (HDR)
LOCATION: 3421 S. 144th, Tukwila (Tax #0040000088)

Ms. Fox gave the presentation on file numbers L08-077 and L09-002 utilizing a PowerPoint presentation. The property for this application is currently part of a proposed townhome project. The primary impact of the Comprehensive Plan Amendment and Rezone would be to allow additional housing units to be built. If the request to High Density Residential is approved it would be possible to build two additional housing units with a slightly higher height. The impact to the immediate area would be minimal. The Comprehensive Plan and the Growth Management Act supports additional housing. New development would be very positive for the area. Staff recommends approval as requested.

Mike Overbeck, applicant, commented that there were other incentives for requesting a rezone other than the ability to build additional units. One example he mentioned was the benefit of centrally-located recreation spaces and a through street.

Staff listed other benefits approval of the project would provide, such as better access, improved drainage, and the ability to place the recreation area in a central location. The project does meet all fire code regulations.

There were no further comments.

The public hearing was closed.

The Planning Commission deliberated.

Commissioner Parrish stated that staff, Rebecca in particular, has done a good job of pointing out the important elements of the decision making process.

Commissioner Peterson said approval of the project will make for a more functional development of the overall area, and encourages the kind of development that the City is looking for.

Commissioner Ekberg commented that the surrounding property is not impacted by the project.

Commissioner Bratcher stated she sees no problem converting to HDR considering the surroundings.

Commissioner Arthur said that he sees a number of benefits to this project and very little downside.

COMMISSIONER PARRISH MADE A MOTION TO APPROVE CASE NUMBERS L08-077 AND L09-002 BASED ON STAFF'S FINDINGS, CONCLUSIONS AND RECOMMENDATIONS, AND TO FORWARD TO THE CITY COUNCIL FOR APPROVAL. COMMISSIONER EKBERG SECONDED THE MOTION. ALL WERE IN FAVOR.

Chair Malina opened the public hearing.

CASE NUMBERS:	L08-081 (Comprehensive Plan Amendment) L08-082 (Rezone)
APPLICANT:	Derek Speck/City of Tukwila
REQUEST:	Comprehensive Plan Amendment—Adopt a new policy establishing an “Urban Renewal Overlay District” to encourage compact, pedestrian-friendly, transit-oriented redevelopment
LOCATION:	Approximately 7 blocks in the vicinity of Tukwila International Boulevard between S. 140 th St., 37 th Avenue S., S. 146 th St., and 42 nd Avenue S.

Staff asked the Commissioners the appearance of fairness questions and there was not any conflict of interest to prevent the PC from making a fair decision.

Ms. Fox, Planner, Department of Community Development gave the presentation addressing each of the file numbers utilizing a PowerPoint presentation. The intent of this request is to encourage redevelopment of distressed areas and development of a town center core in the vicinity of Tukwila International Blvd. The zoning code changes would give implementation tools to focus development in the area.

Following is Ms. Fox response to Commissioner Peterson's question that she received by email asking why the boundaries were chosen. The application's original boundaries included all properties within 500 ft. of each side of Tukwila International Blvd. between S. 140th and S. 160th. The boundaries were revised in order to focus on a more compact area than originally set, which staff considered a more appropriate area for the overlay. The area around the light rail station will be reviewed for transit oriented development patterns in 2010 or 2011 in preparation of the Comprehensive Plan Update in 2011. At that time different development regulations could be proposed or the current development regulations be extended to the area.

This request is a new Comprehensive Plan policy, 8.2.22, intended to further redevelopment goals of the work along Tukwila International Blvd, and to encourage mixed use town center development. Implementation would occur through the supplemental development regulations, which is the zoning portion of the plan. An overview was given on the supplemental development standards for the Urban Renewal Overlay District, which are listed in detail in the 7/23/09 Staff Report. The key supplemental development standards are:

- The ability to increase the building height up to a 65 ft. maximum.
- Reduce residential parking requirements.
- Maximum dwelling units are set by the building envelope.
- Pedestrian amenities.
- Allow live/work space on the ground floor.

In order to build a development that utilizes the alternative supplemental development standards criteria and requirements must be met. The criteria are listed in detail in the 7/23/09 staff report. Following are the key criteria:

- A minimum of 100 linear ft. of the development parcel's parameter fronts on TIB.
- Covered residential parking for at least 75% of units.
- Require a transportation management plan to have the owners provide alternatives to the tenant leases for residential/commercial parking on neighborhood streets.
- Require active uses on the ground floor of the building.
- Residential development car sharing program encouraged.
- Pedestrian amenities, such as bicycle racks, benches, landscaping and wide sidewalks.

Commissioner Peterson asked if there is a definition for 'active uses'. Staff said that there is currently no definition in the TMC for 'active uses.'

Commissioner Malina asked that the word 'bus' is changed to 'transit tickets,' on page 14 in the last sentence of staff's recommendations in the staff report. Pam Carter, a citizen, submitted an email recommending changing the words 'bus tickets and passes' to 'transit tickets and passes' on page 19 in the transportation management plan on page 19 of the staff report.

Commissioner Parrish requested that the top two sentences on page four of the staff report are deleted to eliminate repeat verbiage that is found on the same page in paragraph three.

Commissioner Parrish requested that staff point out on a map where the type three wetland is located. He asked staff explain the language, 'hydrology from the proposed Overlay District supports the wetland,' which is listed in the staff report. He asked that overflow parking be addressed. He also asked if permit parking should be required now or wait and see what the impact will be.

Staff commented that the other measures such as the transportation management plan and the bicycle standards are intended to address the potential overflow parking issues. Staff has also made a recommendation for shared automobile space. Staff is looking ahead to try and limit the potential impact, while at the same time taking a wait and see attitude. Based on information from Bellevue's 2005-2007 census regarding the number of vehicles available based on the size of the apartment, Tukwila's proposed parking will not be impacted. There are options after construction if parking becomes a problem such as restricted parking zones.

Commissioner Parrish asked how it was determined to have 50% of the units be studios. Staff deferred this question for the applicant to address. Commissioner Parrish wanted to know what demographic would be moving in. Commissioner Peterson commented that one of the problems that plagues the City is high turn over of residents and that maybe larger units would provide more stability.

Derek Speck, Applicant, Economic Development Administrator for the City of Tukwila, gave a PowerPoint presentation. He explained what prompted him to submit this proposal was different developers approaching him and discussing certain development types that Tukwila does not currently allow. He stated another reason was because developers that submitted proposals for the Tukwila Village development proposed styles that the current zoning does not allow. Such developments have already been constructed in other areas over the last ten years.

Mr. Speck addressed the parking questions raised. He said that this type of development usually has some on-street parking available. It is unknown whether the current City traffic impact fees program has fees directed to right of way acquisition to create more on-street parking. As part of Tukwila Village developments the desire is to advance the CIP project for 144th between Military and 42nd, with the possibility of angled on-street parking. For long term, beyond this project at some point, parking enforcement or a restricted parking zone may need to be considered. Mr. Speck said that the on-street parking is a key component of making this a walkable neighborhood. He recommended leaving some of the enforcement of mixed use parking up to the retailers to work out privately with the property owners.

Specific reasons were not given as to why 50% was determined to be the maximum percentage of studio apartments to be constructed. Mr. Speck commented that there would be a potential increase in property values. He also said that part of the reason this type of development has caught on is due to the cost to construct them. The second level wooden frame construction is generally less expensive than the steel frame building. Some code issues can be addressed by the City adopting a special ordinance to allow buildings to go up five floors on wooden frame over concrete. This type of construction would be an efficient way of handling the cost for development, which will allow up to approximately a 65 ft. tall structures. Currently the maximum height allowed in the NCC zone and Tukwila Village area is 45 ft. The developers want an increased height limit to provide to more dwelling units per acre and to reduce the parking space per unit.

In the proposed Urban Renewal Overlay District developers want to be allowed to build taller structures. Regarding set-backs it was noted that the worst case scenario in terms of the density would be development in the NCC zone of a 65 ft. Structures with 20 ft. between buildings. Mr. Speck commented that this scenario is not very likely to happen due to having city streets generally separate NCC from LDR. Examples of new and existing buildings heights and parking provisions were shown of other developments.

Commissioner Parrish commented that the impact of overflowing to the neighborhoods was not shown. Mr. Speck stated that if overflow parking is a concern that he would recommend looking at a residential parking zone to protect the single family neighborhood. It was commented that there would be a hassle factor and an enforcement cost. He recommended pursuing this option if the need develops.

Commissioner Bratcher asked what the Fire Department's comments were on the 65 ft. high structures. Mr. Speck stated that the Fire Department has said that they are ok with the proposal. The proposal does not change the fire codes.

Commissioner Malina commented that the examples of developments that Mr. Speck showed had a lot less than 50% studio units. He stated that he is having problems with why the 50% figure was chosen. Mr. Speck said that one of the developer's proposals showed 40% studio units. However, he said that he does not have any data to back up his decision for the 50% figure. He said that if the Commissioners decided they didn't want to allow the amount of studio units designated, he does not know if it puts the City out of the market to see development happen. He suggested that more research could be done regarding the number of studio apartments constructed in the development.

Commissioner Ekberg stated that he is struggling with what he would see along 42nd S. for a development that meets all of the criteria. Mr. Speck pointed out on the PowerPoint slides what Commissioner Ekberg would possibly see. Commissioner Ekberg stated that he was not comfortable with Mr. Speck's answer. Mr. Speck said he could work on providing a better answer.

At 9:00 PM Commissioner Bratcher left the Council Chambers.

Chair Malina called for a recess.

Chair Malina reconvened the public hearing.

Jonathan Varnes, citizen, stated he is trying to understand how the parameters were established for the Tukwila Village project. He said in his opinion the project is a great idea. Mr. Speck will be in contact with Mr. Varnes to discuss his question.

Staff addressed the Overlay District boundaries. The proposed Overlay District was selected because it corresponds to the area that was the Urban Renewal Area that was set in 2000 and was the focus of the redevelopment along Tukwila International Blvd. It was an area demonstrated to be in need of redevelopment and it was also the area that has been well studied. Its core is six acres of parcels that the City owns. Staff will be looking at the area to determine if it will extend further in the future.

Michael West, citizen, stated he is in favor of the proposed request and urges its adoption. He said that it gives the developer what they need to make it a financial success. He pointed out that the staff report reads that there shall not be more than 50% studio units, which means if the applicant wants to build 5% he can. He said the applicant probably designed the proposal to give enough flexibility to do what they think is market driven. And he doubts that they will build something that will be a detriment to them.

Ryan Hitt, Development Manager, Tarragon, is in favor of the proposed Comprehensive changes. He stated he has some zoning concerns. Concerns were pointed out on page 18 and 19 of the staff report.

Mr. Hitt said that his recommendations would be to include language for set-back requirement that it is open to flexibility so that if there were potential changes to different set-backs that might make sense as the design moves into further development. He said that his main concern is that if different situations come up later in development, is that the Commission will consider it. Mr. Hitt wants flexibility to be able to discuss potential situations in the future. In regards to the 50% ratios of studio units, Mr. Hitt supported that number and stated it is unlikely that they would ever actually have a development with 50% studio units. He said that flexibility is important and keeping the figure at 50% would be important. Concerning the types of people living in these units it could cover a large demographic variety, such as students, young professionals, and people potentially on fixed incomes or seniors. Tarragon proposed that the minimum size apartment be 400 sq. ft. as opposed to 500 sq. ft. Mr. Hitt said that they want

make sure that the criteria take advantage of the Overlay District zone. The project will be built in phases and phasing of the project are not addressed in the staff report. Tarragon wants to make sure in the development agreement that requirements do not have to be met in phase one necessarily but over the course of the project. Concern was expressed with the car sharing and bicycle parking requirements Tarragon would like to discuss this. They would rather not be locked into a specific number of parking spaces. Their preference would be to tie this to one of the recognized green standards. Because these standards change through over it would allow them to apply the standard that makes sense at the time of development. Tarragon thinks a definition of 'active uses' makes sense to try and define or understand further what the expectations are. Tarragon supports active uses at the ground level of all of their projects.

Commissioner Malina asked how Tarragon has looked at providing adequate spaces in their parking garage for those who may have electric cars or dual use vehicles.

Mr. Hitt stated that they are not far enough in design to actually show the Commission. They would like to consider this in the shared parking requirement to satisfy part of the requirement and that alternative energy vehicles would be included. There would be designated spaces that could be modified if the demand requires it. Mr. Hitt said that you do not get parking right the first time but you have to see where the demand is. As the project grows you have to try out different options to figure out what works the best. Mr. Hitt said they he could not say if they would have guest parking but that he can say there is some overflow parking depending on what time people use the commercial spaces.

Commissioner Peterson asked Mr. Hitt if Tarragon objected to providing designated parking spaces for car sharing. Mr. Hitt said what they are in opposition to is providing a specific number of parking spaces within the guidelines in the staff report. They will be happy to provide a shared type of parking space(s) on the site but until they get further in the design its hard to tell exactly how many spaces a project can support. Commissioner Peterson explained that they often point to standards in the code, that are constantly evolving, and then there is a revision of those standards. Mr. Hitt stated that Mr. Speck recommended the suggestion that Tarragon tie it to a specific standard. They will be happy to do that, but he does not have that data to be able to say what the L.E.E.D. standard or Built Green standard would be. Mr. Hitt asked for the opportunity to research this further and discuss further with the City to be able to create a standard that makes sense and that they feel is appropriate for the project.

Commissioner Parrish asked if Mr. Hitt's comments were intended to suggest that what he is talking about would be applicable to the entire Overlay District. Mr. Hitt said that he can only speak for the Tukwila Village area; they are concerned specifically with Tukwila Village.

Kate Kruller, citizen, has worked at WA State Department of Transportation and King County Department of Transportation. Ms. Kruller represents Tukwila on the Puget Sound Access Community Media Channel and she is the 11th Legislative District Chair for the Democrats in the area. She said that she spends a lot of time talking to people in the community and that it is vital to move ahead and progress in Tukwila. She also said that Tukwila has been dangling for ten years and the momentum is going this year. Ms. Kruller said that the people who will occupy this development will be young and old. She said when she walks her precinct and talks to people about Tukwila Village and hands out paper work the two comments she received most was, "Do it and don't talk about it," and "I could use that" She said that she highly encourages the Commissioners to look at what's being proposed. If there is a way to consider it a test area, she would love to see this area revitalized so that it is a place that people come to spend their time. Ms. Kruller said this is not something to protect Tukwila citizens from; it's something to provide to them and to provide it soon.

Dwight McClain said in 1995 that the Highway Action Committee was formulated to clean up the highway. He chaired the committee and their purpose was to make the highway a safe place to work and do business. Mr. McClain said that a lot of things have happened in other cities and there are a lot of ways to kill a project.

He said one way is to get too hung up about the parking requirements. He said when you become too constrictive in the plan and requirements; if the number doesn't work developers are not going to come around. Mr. McClain said he thinks that the developers need to be trusted not to develop a project that is going to go belly up, it's not in the developer's financial interest. He said some general guidelines need to be set and give them as much latitude as possible so that they can proceed. He encourages moving ahead without delay.

Sharon Mann, citizen, said that she thinks there has been enough education to know that this is what the City needs to do in order to get the ball rolling. She said it is discouraging to look at surrounding cities that have something pretty and a reason to come to their city. She said it is time to go forward and doing rigid things do not work; we can set guide lines with the opportunity for open variances that make sense based on the area. She said parking is an issue and if it becomes an issue for this project then you implement permit parking as a resolution. Ms. Mann said the economic climate is poor but we have three big parcels on the blvd. that is not bringing any money into the City. She said we have a gold mine and it is time to get the pans out and start mining.

Mohamad Aminpour, owner, Ridgewood Apartments, said that everything has been said that needs to be said. Mr. Aminpour said that this is a good project and the City is on the right track. He said that Tukwila International Blvd. looks very nice. However, the building around it do not look as nice and in order to really develop and make sense for business owners and developers to develop you have to provide them the tools for it to make sense for them to do. Having a 65 ft. maximum height zone makes a lot of sense and would bring a lot of new development. He said that he would like to see the project go to S. 154th, and if the City doesn't do that the City of Sea Tac will get their share of revenue and Tukwila will not.

Staff recommended moving forward on the Comprehensive Plan Amendment to establish the Overlay District. Staff could discuss changes to the development standards and criteria based on the comments.

Pam Carter, citizen, stated that she supports the project and thinks that it should move forward. She said the changes regarding the L.E.E.D standards for the flex car parking that Mr. Hitt did not come prepared with any suggestions. She said the project should be forwarded to the Council with a recommendation for approval and also for consideration if Mr. Hitt submits some material. She also said that Mr. Hitt could work with staff and develop an alternative proposal so that the Council could have that before them, rather than trying to make a decision without information.

There were no further public comments.

The public hearing was closed on case number L08-081.

The Planning Commission deliberated.

Commissioner Parrish likes the idea of forwarding the Comprehensive Plan Amendment to the Council but he is not comfortable with the rezone going forward. Commissioner Parrish commented that it is the Commissioners job to deliberate on the behalf of folks on projects and it is not they're desire to delay projects but to do a good job. He said the representative from Tarragon did not come prepared. One of the things the Commission likes to see is a recommended regulation, if you have a recommended change then bring it with you. The Commission wants to see the proposed language. Commissioner Parrish said that he is not in favor of 400 sq. ft. studio apartments. Regarding the L.E.E.D. and Build Green he said he does not see that as being applicable to the Overlay District. It was noted that there is a process for variance. Those that have some idea about how the language should read should submit it to staff and it will be provided to the Commission as an option to consider.

Commissioner Peterson said that he is comfortable with everything that's been recommended but he would like a definition of 'active use'. Commissioner Peterson is prepared to move the project forward as proposed once staff provides some language to provide some guidance for a definition on 'active use'.

Commissioner Ekberg said the only major concern he has is having 65 ft. tall structures adjacent to single family residential. He said that he is concerned about having a 65 ft. wall on the west side of 42nd Ave next to residential and next to the high school. Commissioner Ekberg recommended thinking about the approach that attachment G references in the staff report for areas that abut single family residential property, even if it's across the street. He suggested language change for one space for the car sharing program. Item 2, E, page 19, suggested language to read, 'a minimum of one space'.

Commissioner Arthur said that he would like to hear more about Commissioner Parrish's suggestion about moving ahead with the Comprehensive Plan Amendment but not the zoning at this time. He said there are a lot of the things that may be worthy of discussion and maybe worthy of adopting. Regarding 400 sq. ft. or 500 sq. ft. studio apartments he does not hear any compelling arguments one way or the other. He shared the concern regarding the 65 ft. wall across the street or on an adjacent property to LDR. He said he is not going to accept staff comments that nothing is going to happen, something definitive is needed to protect LDR and other areas from the 65 ft. wall.

Commissioner Malina said that he concurs with the Commissioners. He said that he has no problem approving the Overlay but he has a concern about the rezone, there are issues. He thinks they need to take a look at the rezone portion and be able to pass on a good packet to City Council.

COMMISSIONER PARRISH MADE A MOTION TO APPROVE CASE NUMBER L08-081 BASED ON STAFF'S FINDINGS, CONCLUSIONS AND RECOMMENDATIONS AS AMENDED, AND RECOMMENDED FORWARDING TO CITY COUNCIL. COMMISSIONER ARTHUR SECONDED THE MOTION. ALL WERE IN FAVOR.

CASE NUMBER L08-082 - CONTINUED.

Commissioner Ekberg explained that he wants staff to come back with a recommendation on how to deal with the issue regarding the 65 ft structure adjacent to the LDR.

Staff asked for some direction on what the Commission would like to see regarding set-backs.

Commissioner Ekberg suggested that staff return with something similar to attachment G in the staff report but applies to the 65 ft. tall structures being tiered adjacent to LDR. Commissioner Parrish was in support of Commissioner's Ekberg's suggestion.

Commissioner Parrish asked the representative from Tarragon if he is willing to submit some information in writing to staff for consideration. Tarragon will be submitting information.

DIRECTOR'S REPORT

- Minnie asked the PC if they are interested in hosting a joint PC meeting with Sea Tac PC on October 15, 2009. An interest was expressed. Staff will return with more information.

Meeting adjourned: 10:25 PM

Submitted by Wynetta Bivens
Secretary

Adopted: 8/27/09

**PLANNING COMMISSION
PUBLIC HEARING MINUTES
AUGUST 27, 2009**

The meeting was called to order by Chair Malina at 7:00 PM

Present: Chair, George Malina; Vice-Chair, Bill Arthur; Commissioners, Chuck Parrish, Allan Ekberg and Lynn Peterson

Absent: Commissioner Brooke Alford and Margaret Bratcher

Representing

City Staff: Nora Gierloff, Rebecca Fox, Minnie Dhaliwal and Wynetta Bivens

COMMISSIONER PARRISH MADE A MOTION TO ADOPT THE PUBLIC HEARING MINUTES FROM JULY 23, 2009. COMMISSIONER ARTHUR SECONDED THE MOTION; THE MOTION WAS UNANIMOUSLY APPROVED.

Chair Malina swore in those wishing to testify.

PLANNING COMMISSION PUBLIC HEARING

Chair Malina opened the public hearing.

CONTINUANCE FROM JULY 23, 2009:

CASE NUMBERS: L08-082 (Rezone)
APPLICANT: Derek Speck/City of Tukwila
REQUEST: Rezone/Zoning Code change—Adopt alternative development standards and criteria for the proposed “Urban Renewal Overlay District” including 65’ building height limit, reduced parking requirements, covered parking, pedestrian-oriented design features, and others.
LOCATION: Approximately 7 blocks in the vicinity of Tukwila International Boulevard between S. 140th St., 37th Avenue S., S. 146th St., and 42nd Avenue S.

This is a legislative area wide re-zone issue and any changes will apply equally to the entire Urban Renewal Overlay District area. They would also apply equally to all development provided that the criteria are met. There was concern raised by the PC regarding whether it is appropriate for Tarragon, a developer interested in the Tukwila village project, to discuss their concerns and make recommendations on the proposed rezone. An email from the City Attorney addressing this issue was provided to the PC stating that Tarragon is in the same position as any other interested party that is impacted by the proposed zoning changes. The fact that they could ultimately enter into a development agreement with the City does not have any effects upon the discussion, deliberation and decisions made by the PC.

Rebecca Fox, Planner, Department of Community Development, gave an overview of the proposed revisions and recommendations based on issues of concern that were raised by the PC at the July 23, 2009 meeting.

- Set-backs in proximity to single family zones.
The set-backs in Low Density Residential (LDR) - modifications were made and there are three options proposed. In each of the options rather than stipulating that the set-backs would apply within 50 ft. of the LDR, the wording was revised to read: ‘These set-backs would apply to development

Option 1 is based on a tiered building requirement, such as in the office zone. Buildings should have two required tiers beginning at 10 ft.. The setback is 10 ft. for the first floor, 20 ft. for the second ft. and the remainder of the building floors three and up is set-back 30 ft. Staff considers this option very prescriptive for design and construction and could result in increased cost for building systems and the lost of developable space.

Option 2 has some aspects of staff's original proposal. Rather than setbacks being met by a ratio of 1.5:1 they are stated in set numeric distance, 10 ft. for the first floor, 20 ft. for the second floor, 30 ft. for the third floor. The setbacks can be met either by having a tiered building on different floors or setting the entire building back the maximum distance or combining the tiers and setbacks. This provides maximum flexibility for development but it may not have the results desired for the compact feel or the visual break.

Option 3 requires one tier either one or two stories high, setback 10 to 20 ft and the remainder of the building setback 30 feet. This option combines some of the features of option 1 and 2. Staff considers this option somewhat prescriptive and issues could be addressed through the design guidelines.

Staff recommends Option 3.

- Studio apartments – maximum allowable percentages of apartments and the minimum size. The revised recommendation is to allow not more than 40 percent studio apartments with an average studio unit size of at least 500 sq. ft. with a minimum unit size of 450 sq. ft.. The recommendation is based in part on an analysis prepared by Dupre and Scott.

Commissioner Parrish raised questions regarding setbacks and wanted to know if the setbacks were sufficient for two 65 ft buildings adjacent to each other with 20 ft. between them.

Staff commented that they spoke with the fire chief and all fire and building code issues are separate from the zoning. However, in the event that they do not meet the fire or building code requirements those codes will take precedence.

Nora Gierloff, Deputy Director, Department of Community Development, stated that it would depend on the site whether the setback would be sufficient. There could be different requirements based on building construction.

Commissioner Arthur commented that he is not sure exactly where the 65 ft height is coming from and asked staff where it was coming from.

Staff stated that the area is a redevelopment area and has been designated as a site for a more compact and dense urban core of mixed use development. The entire area is proposed for 65 ft., which is a request that comes from the applicant and is based on comments from developers who have expressed interest in creating such a core development. In order to have an economic building a typical type of structure is one story of commercial with five stories above up to 65 ft. This is not a type of building Tukwila has but it is common in other areas. It was discussed and proposed as part of the development proposal for the Tukwila Village project.

Commissioner Arthur stated that it is hard for him to understand a building setback for a 65 ft high structure with a minimum setback of 25 ft. He said when the Tukwila Urban Center was looked at it was found based on the Fire Department's testimony that a 26 ft minimum setback was necessary for buildings that were 30 ft.

high. He said he does not understand how more than double the building height would cause a setback with less footage. Staff stated that they would want to make sure the requirements are met and if necessary address the zoning recommendation to be sure that there is no conflict.

Ms. Gierloff said she thinks that the 30 ft. came from the cut off for a high rise ordinance under the fire code. She talked about a 26 ft fire lane instead of a 20 ft. fire lane, which is something you would have to factor into the design of the building.

Commissioner Arthur asked if 25 ft. is sufficient for the fire department.

Commissioner Peterson pointed out that it was already decided that fire would take precedence over the zoning codes.

Commissioner Parrish pointed out that the proposed setback is 20 ft.

Staff provided an email from the fire chief in support of the zoning recommendation.

Commissioner Ekberg asked for clarification whether the applicant is the Economic Development Administrator for Tukwila.

Dwight McLean, showed a slide presentation.

Dave Fenton, citizen, part owner of Samara Apartments, which has over 200 apartment and none of them are studios. He said that he is really concerned by the 65 ft high structure and the studios. He stated that he has been in the business for 25 years and that he does not have studios because they are problems that tend to draw people that could not otherwise afford a one bedroom apartment. He said in Tukwila that there are about four complexes that have studio apartments and if you were to contact the Police Department that you would see lots of police activity at places with studio apartments. He asked that this is taken into consideration.

Commissioner Ekberg asked Mr. Fenton what the transient nature of folks with three bedroom apartments.

Mr. Fenton stated that he has never had a vacancy in his three bedroom units in ten years, they are in high demand.

Staff pointed out that the 500 sq. ft. studio size is a minimum not a maximum size as mentioned by Mr. Fenton.

Commissioner Malina asked Mr. Fenton the square footage of his one bedroom apartments. Mr. Fenton responded that they are 800 sq. ft. on the ground floor and 850 sq ft on the upper floors.

Sharon Mann, Co-Chair for Tukwila International Boulevard Action Committee (TIBAC), addressed other's concerns on the 65 ft. high structures and the setbacks on the single family dwellings and the number of studio units. The TIBAC group did not share the concerns of others and recommend approval of the 65 ft. height if the buildings are built adjacent to single families or across the street. They recommended a set-back of 10 ft. for the first floor and an additional 10 ft. for the second floor but not additional set-back requirement for any floors thereafter. They recommend a requirement of no more than 50% of the units are studio. Ms. Mann said the development they are looking for will be condo quality and a vibrant area with lots more activity. She does not foresee the problems raised by Mr. Fenton. Ms. Mann stated that the developers have been requesting that restrictive guidelines which have prevented development be lifted. She said that the zoning has been a roadblock for development for the last ten years. She stated that there is no incentive for

current owners to improve their properties or for new developments to happen. The TIBAC group implores the PC to make a decision and to move on with this because there is a deadline to get this approved in order for the project to move on and the Comprehensive Plan to be approved. The TIBAC said that they are asking the PC to not be protective of them by keeping them in a 1990 vision. They are looking for the PC to be more progressive and look into a 2010 and 2020 vision.

Commissioner Ekberg asked for clarification from Ms. Mann regarding whether they are supporting option 1 or 3 for the setback recommendation.

Commissioner Parrish stated he is confused with what Ms. Mann recommended for setbacks and pointed out their recommendation is not one of the options proposed.

Ms. Mann stated she heard the recommendation, but feels that the number is unimportant and a developer is not going to develop something they cannot rent and sustain.

Commissioner Parrish stated that he very much appreciates the involvement of the TIBAC group.

Commissioner Peterson pointed out that Ms. Mann's recommendation on set-backs are listed in attachment E of the PC packet.

Ryan Hitt, Development Manager, Tarragon, stated that since the previous PC Meeting they have been in contact with staff have worked with them on a number of the issues and support the current recommendations. They also feel comfortable with the recommendations from the TIBAC group. Mr. Hitt pointed out a letter in the PC packet that was provided by Tarragon, which was intended to address a number of comments and concerns of the PC. He offered to address any concerns that were not addressed in the letter. Mr. Hitt stated that the examples of the studio units on the back of the letter were included to show what a typical studio layout might look like in an apartment building, and also to show there are a variety of studio layouts that are occurring in a number of current development buildings in the market. Mr. Hitt responded to comments made by Mr. Fenton. He said that Tarragon would not develop a building that they did not feel is sustainable and wouldn't put a number of studio units in an apartment that they do not feel they can rent to responsible people.

Commissioner Ekberg asked Mr. Hitt from his economic analysis and understanding of the market place where does he see three bedroom apartments in the City of Tukwila.

Mr. Hitt said that he does not see any problems with three bedroom apartments and having as many as the market can sustain in Tukwila or in the overlay district. He said that they would personally have three bedroom apartments if they felt it was the appropriate unit type for the project.

Commissioner Parrish asked Mr. Hitt if he or Tarragon has any experience with the normality of converting studio apartment to condos. Mr. Hitt said that he has never worked on such a project. There was further discussion on this issue and Commissioner Parrish pointed out that it would be unlikely for a conversion to happen in the future.

Sharon Mann said from her real estate experience that it is not unusual for studio conversion in current buildings and studios built as condos to be as small as 330 sq. ft. She said a studio is not an unsellable product.

Pam Carter, citizen, stated that she supports all of the changes. Without some of these zoning changes it's doubtful that this development can go forward. There have been regulations in the overlay district and there have not been many changes. She said if you want the same results keep doing the same thing. She said if

the guidelines are so restrictive no one is going to build there. Ms. Carter said the community supported Tukwila Village because they wanted to see something happen. They want to see things move forward and you can not do that with the same regulations.

Derek Speck, Applicant, Economic Development Administrator, City of Tukwila, stated that he is available to answer questions.

Commissioner Parrish asked Mr. Speck to address the TIBAC recommendation versus staff's proposed recommendations.

Mr. Speck said there may have been a miscommunication; the TIBAC recommendation is a part of staff's recommendation. It is the part pertaining to the studio size. The three set-back options are different than the TIBAC recommendation but option 3 might be the closest one.

Chair Malina called for a recess at 8:30 PM.

Chair Malina reconvened the public hearing at 8:40 PM.

The public hearing was closed on case number L08-082.

There were no further public comments.

The Planning Commission deliberated.

Commissioner Ekberg suggested a process of turning to the zoning recommendation in the packet and moving through it page by page.

Zoning Recommendations as listed in the August 20, 2009 staff report:

Number 1 - Approved.

Number 2A and 2B - PC Approved.

Letter C.1.a., option 3 -

Verbatim PC comments start at this point:

Commissioner Arthur stated that he has a problem with the bulk of a 65 ft structure (letter C1, option 3). I suspect I am going to be on the short end of the vote here but in looking at the work that has been done over the past two years to establish the height limitations that we currently have on the Code, I see a lot of work done by staff, then staff, by citizen groups, urban architects, and the Council to develop these height limitations, and now to change these to change these and we come up with another 50% boost in the height. I'm troubled by two things, one is just the sheer increase in bulk, and the second would be we probably are going to adopt this on the basis of staff's recommendation with a basis for that recommendation primarily on it's needed for the development to occur. And it's probably a deal breaker. According to statements made in last Monday night's Tukwila City Council meeting unless we get this height, this is going to be a deal breaker for the Tukwila Village project.

Commissioner Malina, "Do you feel that the height is too tall?"

Commissioner Arthur; I don't see anything justify the height except two things, the developer needs it and staff recommends it. I do not see the same degree of care and involvement from a wide spectrum in the community that I saw when these existing height limitations were established. It's disappointing and for that reason, I would not be in favor.

Commissioner Malina; What would you recommend as the, again what we are doing is we're trying to get through this thing and pass it on to the Council. The Council definitely probably is going to make some changes to what we recommend but I think it important that we move this on from this body to the Council. So whatever numbers that is created here and whatever verbiage that is created here, the Council is going to see and may change or leave alone. Maybe someone on the Council has your same basic feelings when this comes before them, maybe the height is a little too tall for being abutted up to a residential neighborhood and under an LDR.

Commissioner Arthur, I don't think the care and the effort has been put in coming up with something that would justify me to say I like this height or I don't like this height or something of that nature.

Again, my concern is it's coming from a staff recommendation based on what I see as a single need and that is to get the Tukwila Village project underway. Looking at the responsibilities of a Planning Commissioner we are supposed to make recommendations to the Council on landuse matters. That's one of the responsibilities and that's what I think I'm doing here, I thinkfeeding this thing.....for the appropriate height, maybe it is 65 ft. I just don't think that works been put in to get there from here.

I don't think that the Planning Commission is responsible for approving or disapproving Tukwila Village. I think the issue has been confused because most of the discussion here is relating to Tukwila Village specifically and with the Tukwila Village development specifically. If you want to know how I feel about the Tukwila Village, ask me how I feel about Tukwila Village but I don't think a zoning change along these lines on the basis it's being suggested is appropriate.

If you want to go back to 1995 I understand TIBAC is the old Tukwila International Blvd Action Committee or the Highway 99 Action Committee that pre-dated that and I was one of the original members of that thing. I did take an interest in getting the 99 Corridor cleaned up, and I took an interest in getting Tukwila Village put together and on its way. After about, when we started this in 1995, doing this, after about seven or eight years, you kinda see that the City is not going to get there from here at least....so I haven't been involved with it, Action Committee or TIBAC in recent years. It's nice to see that you are doing something again. I just don't think there's been enough information here or the right basis of information presented to make a favorable recommendation for this zoning change. Now it seems we're being rushed to get something in the works to get Tukwila Village up and running and see it come out of the ground. It seems like we are in a rush although this has been under way for at least two years now so the timeframe we're rushing is still not very quick. It shouldn't be like this in my opinion but I don't think I'm going to approve something for what I feel to be the wrong reason.

Commissioner Parrish; I will just make a statement. I very much appreciate Commissioner Arthur's thoughts on this, I do support the 65 ft., I will vote for that and I'll point out that the majority of the Commissioners walked around pretty much the entire overlay district looking at what 65 ft. will look like and the potential impact on the neighborhood. At least in our minds we weren't thinking necessarily about Tukwila Village but the entire overlay district so I'm comfortable with that.

Commissioner Peterson; I think I understand where Bill is coming from but also I have to acknowledge that the reason why we passed the Comp Amendment was because we saw a need to initiate and ignite some sort of re-development up there and that means taking some special actions that will encourage re-investment up there and I think for those of us that took the tour we look and I know when we were taking that tour there's an area there 42nd Ave 140th up to TIB there's some housing there you'll notice there is a special commercial re-development area where that had been an earlier effort to maybe re-develop the type of housing that's there that could possibly be replaced by the type of housing that would be of higher quality of life and safety for the individuals living there. As I said, I also looked at some and did some rough calculations for the set-backs doing that ratio 1:1.5 and looking at the right-of-way up there on 42nd

where in some places it was almost 90 ft. I had to ask myself why were we stopping at 65 ft. instead of 132 ft. almost double. Not that I was indicating that. It just seemed like you could get to well beyond what we were asking for, so it was a modest increment to possibly entice some development up there to improve the quality of life for everyone that lives up there and maybe make that more of a shiny area instead of an area that is going into decay and possibly will. We need to improve that area. I can't say any more. I think the 65 ft. is a moderate increment and it might not be enough to get the job done.

Commissioner Ekberg If we are just talking about the 65 ft. currently our zoning for that area allows 45 ft. in height adjacent to International Blvd. What we're asking here to approve is another additional 20 ft. Recognizing that the policy that we're putting before us is only for those lots that are adjacent to the International Blvd. Have 100 ft. of width along the Blvd. so at this point I am comfortable with that policy we are putting in the place, the rules that would guide that policy and increasing the opportunity from 45 ft. to 65 ft. along International Blvd.

Commissioner Malina I'm going to have to concur with you. The area does need some improvement. It's been on the books for a long time and to move on with the project. City Council may end up changing that figure but I think that we need to get this thing moved on so I will concur with that 65. So it looks like we have a consensus.

Verbatim Minutes discontinued.

Commissioner Parrish said that he is comfortable with Option 3.

Commissioner Peterson noted that he supported staff's original position and believes it was the right way to go. He will support Option 3.

Commissioner Ekberg said he is in favor of Option 3.

Commissioner Arthur said with respect with the options on the table, Option 3 appears to be the best of the three choices. He said he appreciates the involvement of TIBAC and getting involved in the aspect of it.

Commissioner Malina said that he is in support of Option 3.

Zoning Recommendations as listed in the August 20, 2009 staff report:
Letter C.1.b, - Approved.

Commissioner Malina stated that he has a problem with the verbiage (letter C,1,c.), 'smaller than 450 sq. ft'. He stated that he would rather the minimum size unit be 500 sq. ft.

Commissioner Parrish stated he is comfortable with the recommendation as shown.

Commissioner Peterson stated he is comfortable 450 sq. ft.

Commissioner Ekberg stated that he was excited to see the new verbiage to allow flexibility and that he likes the opportunity for the market to bear the demand.

Commissioner Arthur stated that he is opposed to the 450 sq. ft. He noted that the recommendation is lower than what was in the analysis. He said that he has a problem with relying on something that varies with data, which had been presented by staff, and the sole recommendation is coming basically from the

developer. He said he would rather see 500 sq. ft. He also said that having 40% of the dwelling units to be studio seems high to him.

Zoning Recommendations as listed in the August 20, 2009 staff report:
Letter C.1.c., - Approved, Commissioner Malina and Arthur opposed.
Letter C.1.d., - Approved.

Letter C.1.e., - Approved.

Number 2a, - Approved.

Number 2b, - Staff made a correction on the verbiage to read, 'at least 75% of required residential parking....' - PC Approved as revised.

Number 2c, - Staff made a correction to put parenthesis around the following text, (except for the width of the garage access when site conditions allow.) - PC Approved as revised.

Number 2d, - Approved.

Number 2e, - Approved.

Number 2f, - Approved.

Number 2g, - Approved

COMMISSIONER EKBERG MADE A MOTION TO APPROVE CASE NUMBER L08-082 RE-ZONE ZONING CODE CHANGE; ADOPT ALTERNATIVE DEVELOPMENT STANDARDS AND CRITERIA FOR THE PROPOSED URBAN RENEWAL OVERLAY DISTRICT BASED ON STAFF'S FINDINGS, CONCLUSIONS AND REVISED RECOMMENDATIONS. COMMISSIONER PARRISH SECONDED THE MOTION. MOTION CARRIED; WITH VOTES BY COMMISSIONER EKBERG, PARRISH, MALINA AND PETERSON. COMMISSIONER ARTHUR DISSENTED.

Commissioner Arthur stated that it troubles him that we are making a zoning change decision for the wrong reason. I stated that earlier. I think I have two major problems, one is the way it is being brought forward with staff's recommendation with really no justifications other than the developer wants it. That's the most compelling thing. I think the thing that troubles me most, past administration and past directorships we've seen concern that let's run this past the Fire Department, let's run this past the Police Department on the basis of protecting the health, safety, and the welfare of individuals of the City. Then I see something like what we have received from the chief.....and I would like this written into the record. When the Fire Department was asked for their input on this, which I think is an integral part of just about anything we do. The response in part says, and this is from Chief Olivas, "Our concerns involve issues pertaining to building and fire code requirements we have not approved anything related to the proposed Tukwila Village site as we have not seen anything other than conceptual drawings. We told the vendor in a meeting April, 08 that the conceptual plans were not acceptable and that changes would be required. Again we have not seen any plans since that meeting and have not conveyed any approvals." I think that should be contained in the minutes to go forward to the City Council. I'm disappointed that there is a lack of communication to that extent between Planning and the Fire Department and.....and staff

DIRECTOR'S REPORT

Meeting adjourned: 10:35 PM

Submitted by Wynetta Bivens, Secretary

RAINBOW TRAILER HAVEN

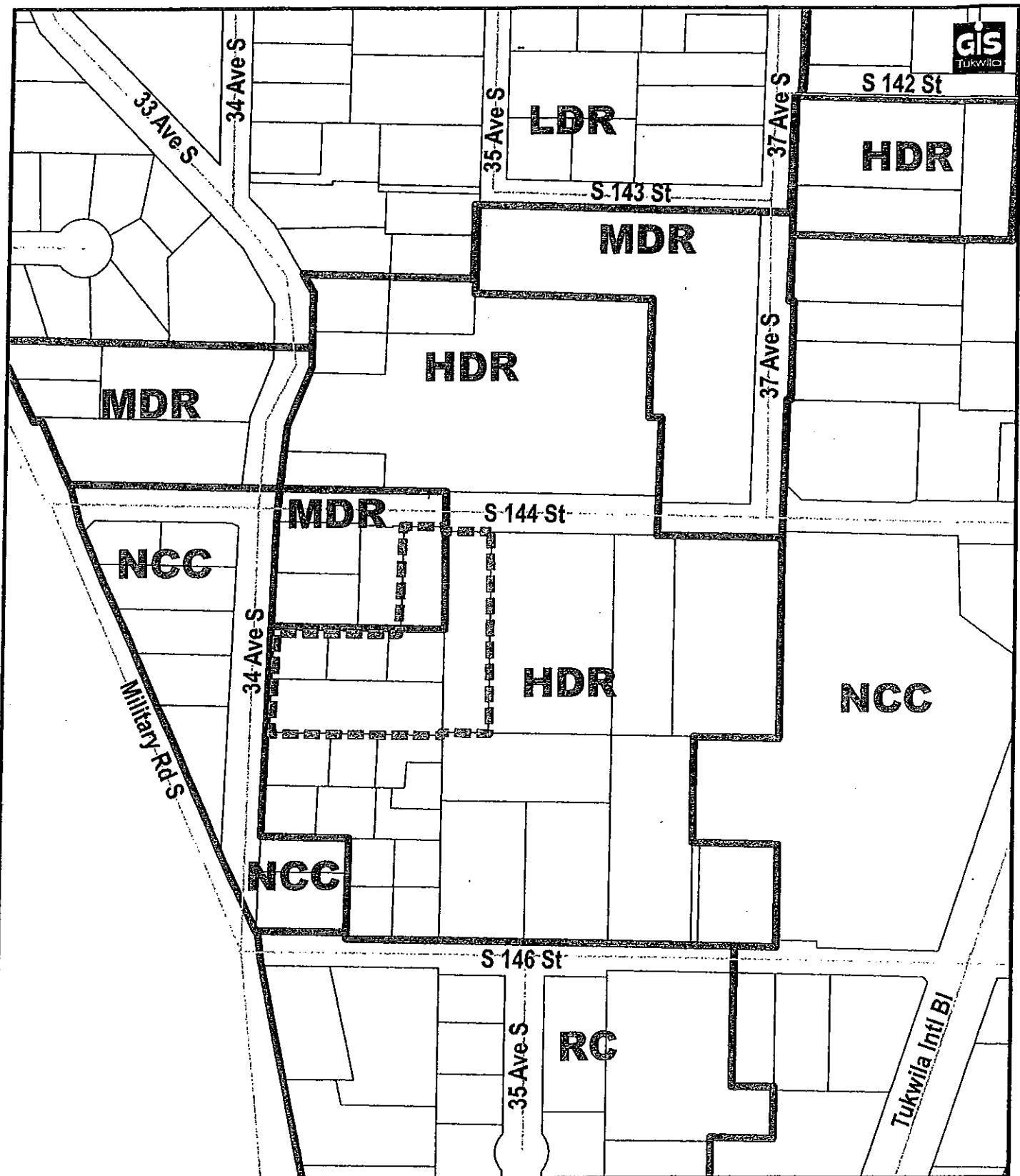
Unit #18 – Mobile Home.

Notice & Order, File # RFA 09-164

The addition to this mobile home has been removed and the separation from other units is adequate on all sides. Separation is O.K.

1. The second exit door has been blocked or otherwise eliminated. This second door must be re installed and proper exit door hardware must be installed. Double keyed dead bolts are not permitted on exit doors. A building permit is not required for installation of the second exit door and hardware. However, the completion of this work will be subject to a final inspection by Code Enforcement.
2. A new electrical service pedestal has been installed for this unit. The electrical connection must be by a properly sized cable and receptacle plug. This will be inspected during the final inspection.
3. Propane fuel tanks must be properly connected to the appliance they serve and shall be secured in place to prevent displacement. This also will be inspected during a final inspection.
4. When all work is completed call Code Enforcement at 206/ 431-3670 and request a final inspection.

*THIS PAGE NOT APPLICABLE
TO THE URBAN RENEWAL OVERLAY DISTRICT.*



L08-077 Comprehensive Plan Amendment-Medium Density Residential (MDR) to High Density Residential (HDR)

L09-002 Rezone-Medium Density Residential (MDR) to High Density Residential (HDR)

 Proposed Medium Density Residential (MDR) to High Density Residential (HDR)

 Zoning Lines

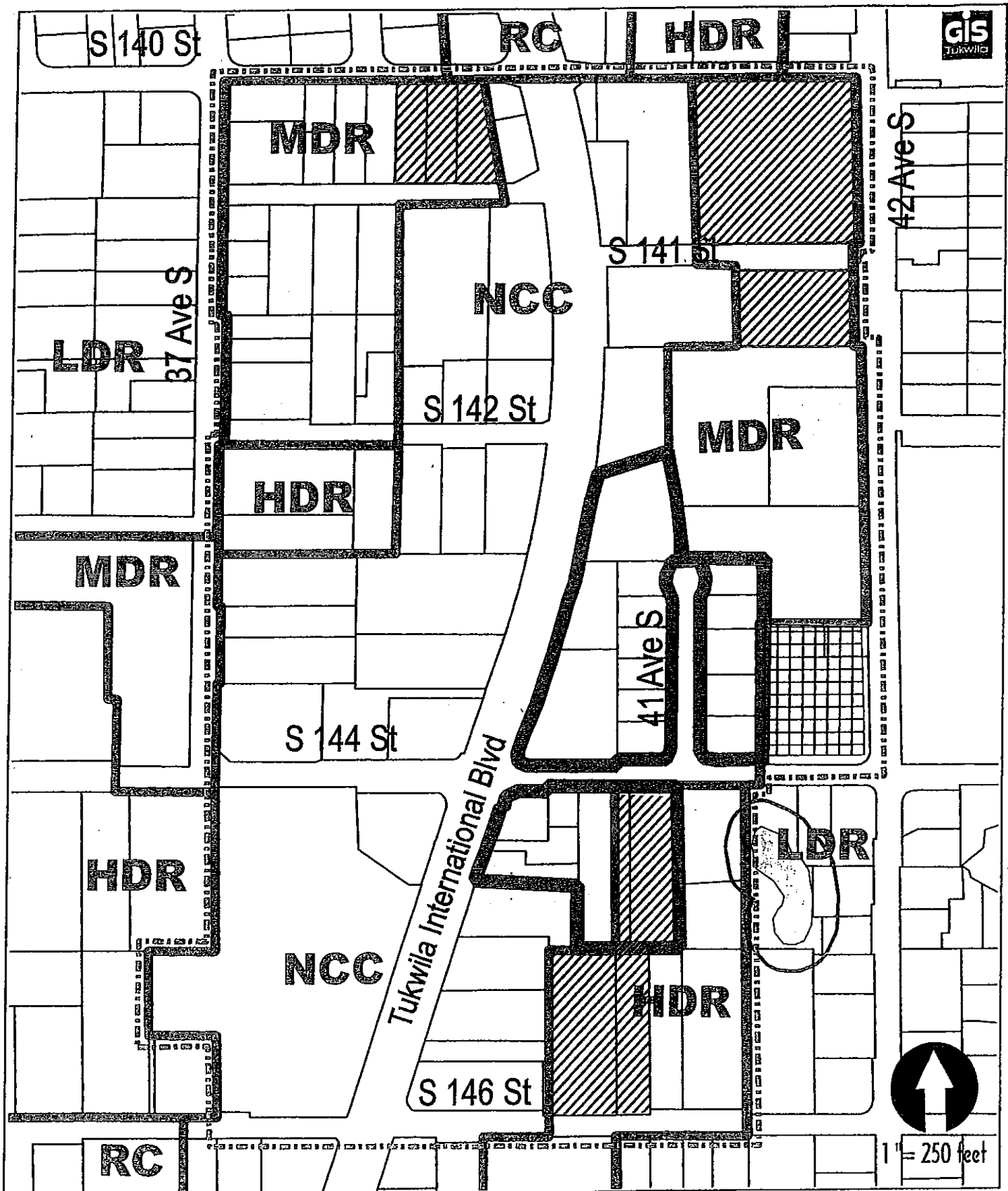
 Townhome Project Area

Osterly Park Townhomes

Attachment C



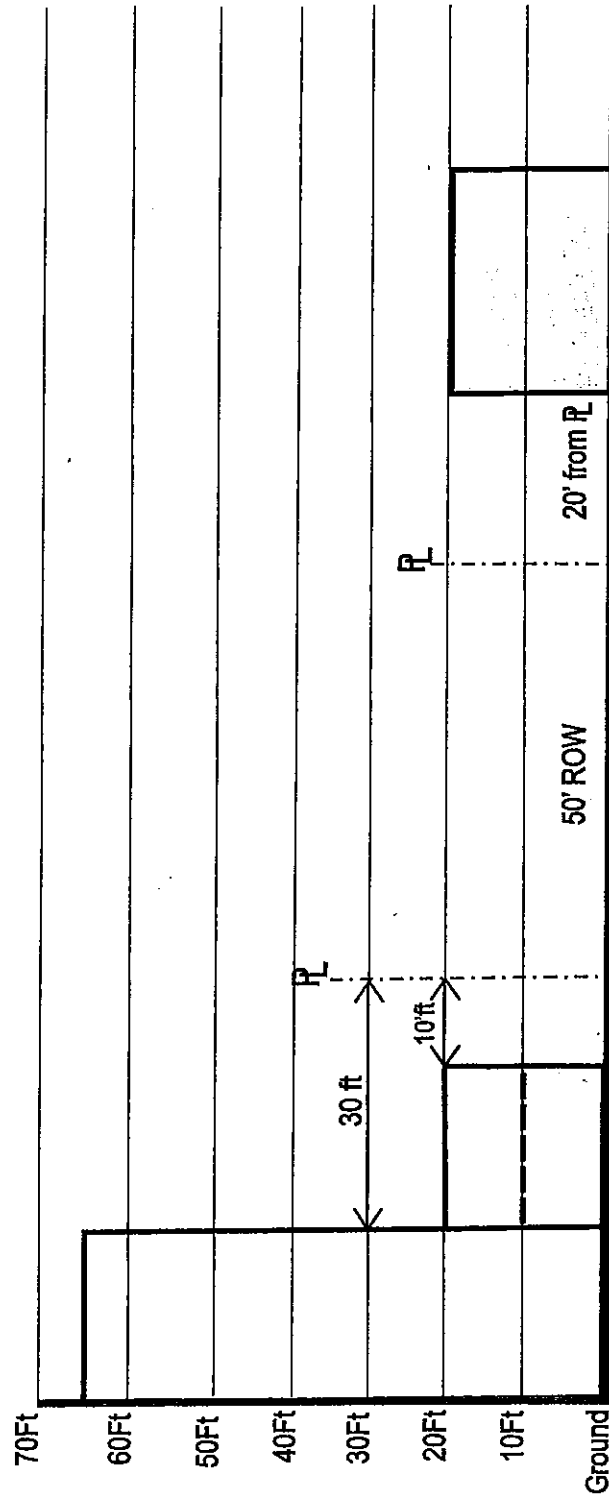
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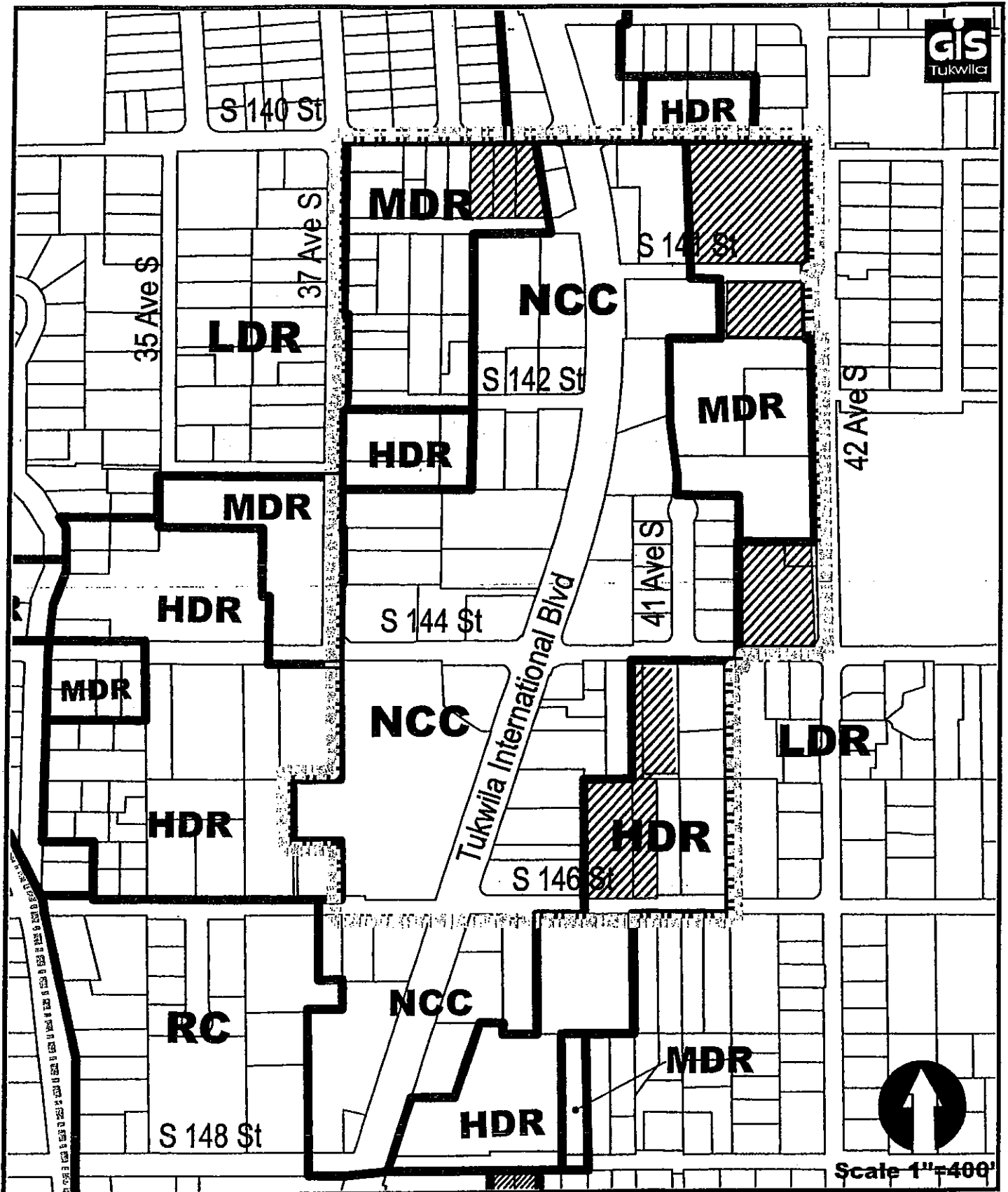
- Tukwila Village Project
- Zoning Lines
- Commercial Redevelopment Areas
- Proposed Commercial Redevelopment Area
- Proposed Urban Renewal Overlay District

L08-081 Comprehensive Plan Amendment- Urban Renewal Overlay District
 L08-082 Rezone/Overlay District-Urban Renewal Overlay District

- Wetlands
- Wetland Buffer



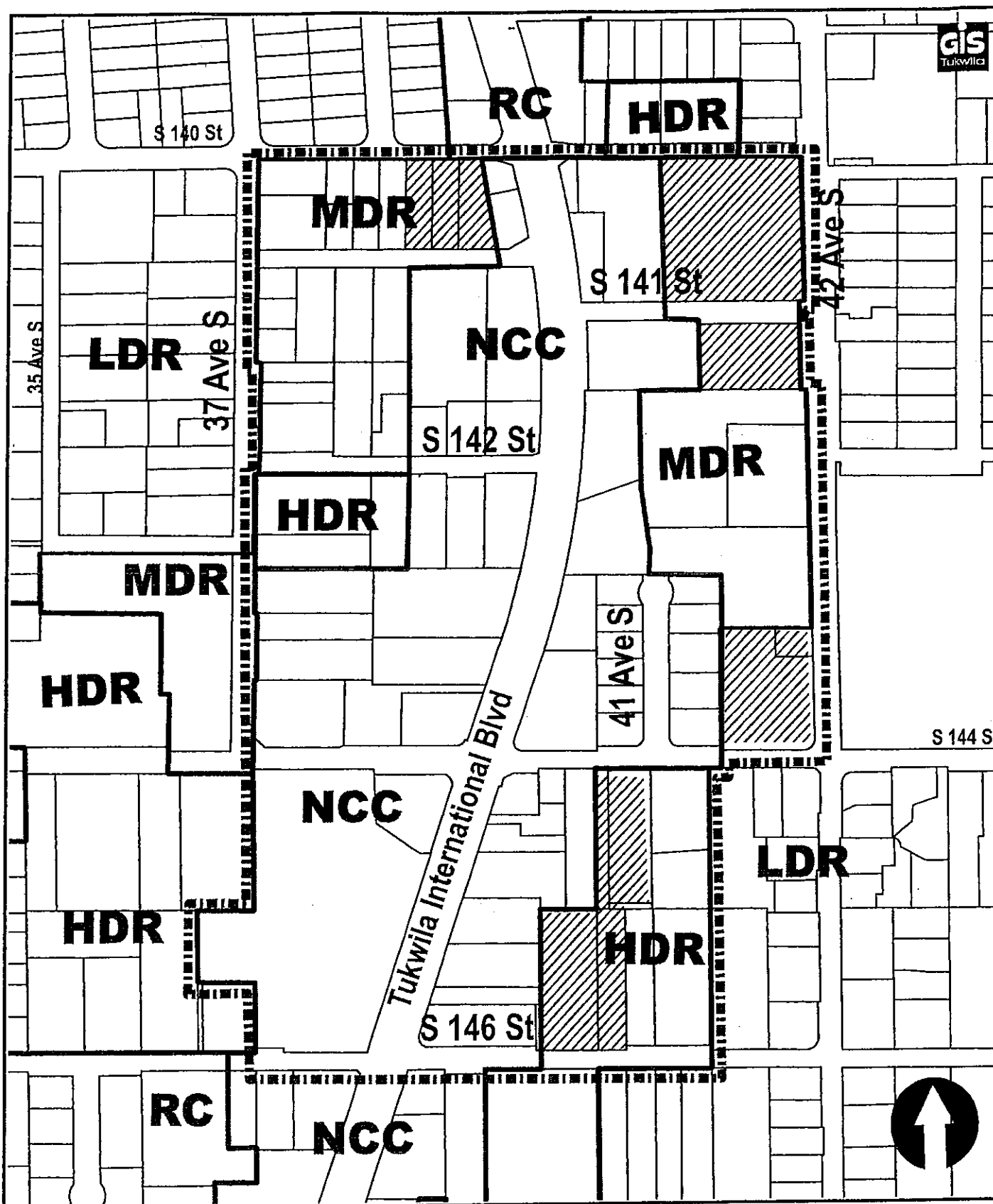
One required tier-one floor or two floors





Commercial Redevelopment Areas

Urban Renewal Overlay District

Tukwila International Boulevard
Urban Renewal Overlay District



 Commercial Redevelopment Areas
 Urban Renewal Overlay District

Tukwila International Blvd Urban Renewal Overlay District

Figure 18-15
Attachment 3